



**MINUTES OF A REGULAR MEETING OF THE  
UPLAND PLANNING COMMISSION  
WEDNESDAY, APRIL 28, 2021  
AT 6:30 P.M.**

**1. CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING**

*Chair Aspinall* called the Regular Meeting of the Upland Planning Commission to order at 6:30 P.M. in the Council Chamber of the Upland City Hall.

**2. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by *Commissioner Grahn*.

**3. ROLL CALL**

MEMBERS PRESENT: Chair Aspinall, Vice Chair Schwary, Commissioners Caldwell, Grahn, and Mayer

MEMBERS ABSENT: Commissioners Anderson and Shim

ALSO PRESENT: Development Services Director and Planning Commission Secretary Dalquest, Deputy City Attorney Maldonado, Associate Planner Winter, Administrative Analyst Davidson

**4. APPROVAL OF MINUTES**

Moved by *Vice Chair Aspinall*, to approve the Minutes of the Planning Commission meeting of March 24, 2021.

The motion was seconded by *Commissioner Mayer*.

The motion carried by the following vote (5-0):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Caldwell, Grahn, and Mayer*

NAYS: *None* ABSTAINED: *None*

ABSENT: *Commissioners Anderson and Shim*

**5. COUNCIL ACTIONS**

*Development Services Director Dalquest* advised there were no reportable items from the April 12, 2021 City Council meeting. He reported a Third Amendment to the Restated and Amended Participation Agreement between the City of Upland and Ford of Upland, LLC, was approved by the City Council at their meeting on April 26, 2021.

**6. FUTURE AGENDA ITEMS**

*Development Services Director Dalquest* reported the next Planning Commission meeting will be on May 26, 2021, and advised there will be four public hearings which include a Conditional Use Permit (CUP) for H Mart on Foothill Boulevard; a revision to the CUP, and a Variance for the expansion of the existing Chick-Fil-A driveway from one lane to two lanes; a CUP for Planet Carwash near Ford of Upland which will be used by the public and Ford of Upland; and a Zoning Code Amendment prohibiting warehouses over a certain size depending on the Zoning District. He advised per the Planning Commission's request a business item will be placed on the agenda to review the final conceptual design for the Urban Plaza in Downtown by Architerra Design Group before it goes before City Council.

**7. ORAL COMMUNICATIONS**

*Chair Aspinall* opened oral communications. Seeing no members of the public wishing to address the Commission in person or remotely, *Chair Aspinall* closed oral communications.

**8. PUBLIC HEARING**

**A. ZONING CODE AMENDMENT NO. 20-0004.**

Project Description:	Consideration of a Resolution recommending to the City Council adoption of an Ordinance amending Upland Municipal Code Chapter 17.15 (Signs) to allow and regulate “electronic changeable-copy signs” within a High School site located in the Public/Institutional (PB/I) Zoning District. (Staff Person: Joshua Winter)
Applicant:	City of Upland
CEQA Determination:	The proposed amendment is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines §15601(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.
Recommendation:	Recommend approval to the City Council.
Appeal Period:	None

*Associate Planner Winter* provided a brief overview of the Zoning Code Amendment which will amend Chapter 17.15 (Signs) of the Upland Municipal Code (UMC) to allow high schools located in the Public/Institutional zoning district to have an Electronic Changeable-Copy sign and establish design criteria for those signs. He reported representatives from Upland Unified School District (USD) requested the City allow Upland High School to construct an Electronic Changeable-Copy sign within a City right-of-way at the northeast corner of San Antonio Avenue at Foothill Boulevard. He noted the first change would be to modify Section 17.15.050 (G) to add high schools and to change the Design Review Board to the Development Service Director. He advised the second change will be to modify Section 17.15.270 to include Electronic Changeable-Copy signs at high schools and details the development standards, approval process, findings, and conditions of approval.

*Associate Planner Winter* reported staff recommends the Planning Commission find Zoning Code Amendment No. 20-0004 is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA guidelines, and determining no further environmental review is necessary, and to adopt the Planning Commission Resolution recommending approval of Zoning Code Amendment No. 20-0004 to the City Council.

*Chair Aspinall* clarified the Planning Commission does not have final approval and this action is a recommendation to the City Council.

In response to *Chair Aspinall's* inquiries, *Associate Planner Winter* explained if the recommendation is approved by the Planning Commission, it will go before the City Council for consideration and adoption. He also noted this action does not provide approval for the sign at Upland High School but simply amends the UMC. He advised the approval is administrative, however, Upland High School has requested to build the sign in the City's right-of-way which will require an Encroachment License Agreement approved by City Council. He confirmed the item will not return to the Planning Commission unless recommended by City Council.

In response to *Vice Chair Schwary's* inquiry, *Associate Planner Winter* advised the change will apply to Hillside High School. He indicated Western Christian High School is within the Historic Downtown Upland Specific Plan (HDUSP) and noted there is currently no permission for an Electronic Changeable-Copy sign within the HDUSP and reported staff did not think it was appropriate on Euclid Avenue.

In response to *Commissioner Caldwell's* inquiry, *Associate Planner Winter* clarified the Public/Institutional (PB/I) zoning district includes all the schools along with the Edison Substation and some of the flood control areas, but noted this would only apply to high schools. He clarified the sign is proposed to be double-sided.

*Chair Aspinall* opened the public hearing.

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*Chair Aspinall* requested Upland Unified School Board President *Wes Fifield* address the Planning Commission and answer any questions regarding the sign.

In response to *Commissioner Grahn's* inquiry, *Mr. Fifield* confirmed the sign would be double-sided but could not confirm whether the sign would change on both sides at the same time. He also confirmed the top portion of the sign is a canned sign and would always be illuminated. Additionally, he reported there are no plans to put a sign at Hillside High School in response to *Vice Chair Schwary's* previous comments.

In response to *Commissioner Mayer's* inquiries, *Development Services Director Dalquest* clarified the current ordinance indicates approval is done by the now-defunct Design Review Board and if an Electronic Changeable-Copy sign were proposed today, it would be approved administratively. He advised the Design Review Board predates any of the current staff and may have consisted of a Citizen's Board.

In response to *Commissioner Caldwell's* inquiry, *Mr. Fifield* confirmed the sign would not display outside advertising and would be used for the promotion of students. He noted he is agreeable to use the sign to promote City or communitywide events.

In response to *Vice Chair Schwary's* inquiry, *Mr. Fifield* clarified a sponsor may have their name presented in conjunction with a promotion and referenced Ford of Upland providing a new car for perfect attendance but confirmed advertising will not be sold for the sign. *Development Services Director Dalquest* cited Section 12.c of the proposed Zoning Code Amendment which states "no offsite advertising or messaging shall be displayed except for City of Upland messaging".

In response to *Chair Aspinall's* inquiry, *Mr. Fifield* confirmed the Upland Unified School Board and/or Upland High School will review and approve messaging content.

*Mr. Fifield* reiterated the sign would be to promote students and school activities.

Due to technical difficulty, in-person public comments were taken before telephonic public comments.

*Gregory Landler*, Activities Director at Upland High School, expressed support for the sign and believes it helps support the message of the great things that are happening at Upland High School along with sending a positive message to students. He also believes it will be a great way to promote community events and encouraged the Planning Commission to approve the item.

*Tim Aspinall*, Upland Unified School District Teacher, reported he is also a member of the newly formed Marketing Committee which was established to communicate endeavors within the school district. He advised the Marketing Committee is currently working on completely redeveloping the school district's website. He noted the Electronic Changeable-Copy sign will be part of the effort to work together with the Upland community. He believes it is appropriately designed for the space and encouraged the Planning Commission to approve the item.

*Natasha Walton, resident*, encouraged the Planning Commission to deny the sign and noted she lives close to a similar sign and noted they cause light pollution, urban blight, and can be blinding since they are LED. She advised a similar sign is located at the YMCA and is on 24 hours a day. She reported she sent an email to the Planning Commission regarding the detriment of light pollution. She noted the item goes against a City policy for Dark Sky's protection which promotes shielded dark sky-friendly lighting for Upland's lighting needs, in order to reduce light pollution and glare, increase energy efficiency, protect wildlife, and promote better health. She believes the sign will cause a safety hazard for drivers in the area. She recommended the Planning Commission table the issue to give staff time to include provisions in the ordinance to minimize light pollution. She suggested the sign be dimmed to its lowest level at night and not backlit with a white screen. Additionally, she recommended the City put in a screen of trees to block the sign from the windows of the apartments on San Antonio Avenue.

*Lois Sicking Dieter, resident*, encouraged the Planning Commission to deny the item the Electronic Changeable-Copy sign. She does not feel it is needed as activities and events are accessible by Upland High School parents and students through the mobile application and website. She noted the item is a hyper-leap forward from no approval for such a sign to an expansive approval for such signs with minimal oversight. She remarked the sign

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is too large and expressed concern regarding liability if the sign should cause property damage in high winds. She expressed concerns with funding, maintenance, CEQA determination, property line and believes there needs to be more public input regarding the project. She encouraged the Planning Commission to oppose the item, reestablish the Architectural Committee, and not give the sole approval to the Development Services Director. She encouraged the Planning Commission to limit sign operation to 6:00 a.m. to 9:00 p.m. if the item is approved and to also limit the size of the sign.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* explained the Zoning Code amendment can be refined to establish the Planning Commission as the approving body. He noted he disagrees with some of the public comments and noted that signs are very high-tech and the further away someone is from the sign, the darker it gets. He noted the illumination can be changed and noted the apartments referenced are far away from the proposed sign.

In response to *Vice Chair Schwary's* inquiry, *Development Services Director Dalquest* confirmed the item is to recommend City Council approve the ordinance. He explained the school district only needs City Council approval to place the sign in the City's right-of-way as it requires an Encroachment License Agreement. He advised if the school district wants to place the sign on their property it would only need Administrative Approval.

In response to *Vice Chair Schwary's* inquiry, *Mr. Fifield* clarified they want to place the sign in the City's right-of-way. *Development Services Director Dalquest* confirmed the school district does not need City approval to install the sign on their property. He advised the City Attorney's Office opined the proposed sign location was subject to local zoning however the school board could overrule local zoning. *Mr. Fifield* remarked the school district wants to work with City and explained the Encroachment Permit would detail hours and usage. *Development Services Director Dalquest* clarified the Encroachment License Agreement contains conditions of approval but the Planning Commission could add hours of operation in the Zoning Code Amendment.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* confirmed there are no hours of operation limitations in the ordinance as written and confirmed Ford of Upland signs run 24/7.

*Chair Aspinall* closed the public hearing.

*Commissioner Mayer* advised he was amenable to the Zoning Code Amendment but expressed concern regarding its implementation. He recommends the implementation be handled by the Planning Commission to allow for more public input.

*Vice Chair Schwary* expressed support for shifting implementation to the Planning Commission. He does not believe the sign will cause an environmental impact, believes it will be good for the school and students, and sees no reason it cannot be dimmed between midnight and 6:00 a.m. *Development Services Director Dalquest* explained future requests for signs can be approved by the Planning Commission as a Conditional Use Permit as a public hearing or business item as a design review.

In response to *Chair Aspinall's* inquiry, *City Attorney Maldonado* explained the public would be able to provide input if it was agendized as a business item.

In response to *Commissioner Caldwell's* inquiry, *Development Services Director Dalquest* confirmed the Planning Commission would be only looking at the base of the sign and would leave the design elements to the Planning staff.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* confirmed design standards are being applied for this particular sign type and would only apply to the sign at Upland High School. He advised a more comprehensive amendment to Sign Code should the Planning Commission wish to make broader changes.

*Commissioner Grahn* echoed *Commissioner Caldwell's* statement that the Planning Commission would only be reviewing the base of the sign because the remainder would be designed according to Code. He expressed support for approval as presented.

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*Vice Chair Schwary* would like to encourage the high school to dim the light in the evening but believes the sign is a great benefit for Upland High School and the City. He recommends the Planning Commission recommend City Council approve the Zoning Code Amendment.

In response to *Chair Aspinall's* inquiry, *Commissioner Caldwell* believes approval should be handled by staff.

In response to *Vice Chair Schwary's* inquiry, *Development Services Director Dalquest* clarified the Planning Commission can make refinements to the Zoning Code Amendments. *Commissioner Mayer* suggested the sign be turned off during that time, but *Vice Chair Schwary* would like to see the sign dimmed. *Development Services Director Dalquest* advised the Zoning Code Amendment includes a Condition of Approval that states "the Electronic Changeable-Copy sign shall be screened, tinted, shielded or otherwise modified as necessary to eliminate excessive glare as deemed sufficient by the Development Services Director." He advised the Planning Commission could add verbiage to reflect the capacity of illumination.

*Vice Chair Schwary* recommended adding the requirement of dimming the signs from midnight to 6:00 a.m. by 20% of illumination. *Development Services Director Dalquest* clarified that gives staff some flexibility in terms of capacity.

In response to *Commissioner Mayer's* inquiry, *Development Services Director Dalquest* clarified a site design review would be submitted for review and would be processed administratively.

Moved by *Vice Chair Schwary* to find Zoning Code Amendment No. 20-0004 exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA guidelines and to adopt a Planning Commission Resolution recommending approval of Zoning Code Amendment No. 20-0004 to the City Council including an addition to the proposed amendment that the sign be limited to 20% of its maximum illuminated capacity from midnight to 6:00 a.m., excepting a City emergency.

The motion was seconded by *Commissioner Caldwell*.

The motion carried by the following vote (5-0):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Caldwell, Grahn, and Mayer*

NAYS: *None* ABSTAINED: *None*

ABSENT: *Commissioners Anderson and Shim*

**9. BUSINESS ITEMS**

A. Discussion regarding attendance/quorum at the May 26, 2021, Planning Commission meeting. (Staff Person: Robert D. Dalquest)

*Development Services Director Dalquest* reported the May 26, 2021, Planning Commission has a full agenda and wanted to confirm there would be a quorum. He advised there is an option to schedule the meeting for May 19, 2021.

*Chair Aspinall, Vice Chair Schwary, Commissioners Caldwell, Grahn, and Mayer* all confirmed they will be available to attend the regular Planning Commission meeting on May 26, 2021.

**10. COMMISSION COMMENTS**

None

**11. ADJOURNMENT**

Moved by *Chair Aspinall* to adjourn the regular meeting of the Planning Commission.

The motion was seconded by *Commissioner Mayer*.

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There being no further business to come before the Planning Commission, *Chair Aspinall* adjourned the meeting at 7:34 P.M., to the regular meeting of the Planning Commission on May 26, 2021, at 6:00 P.M.

Respectfully submitted,



Robert D. Dalquest, Secretary  
Upland Planning Commission